THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

WRIT PETITION No.4539 of 2007

Date: 06.03. 2007

Between:

Mohd.Munawar Ali S/o Iqbal Ali

….Petitioner

And

Controller, Legal Metrology,
207, P &D Building,
Gandhi Nagar, Hyderabad and another.

….Respondents

THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

WRIT PETITION No.4539 of 2007

ORDER:

Petitioner was granted a licence in Form LR-3 for undertaking repairs of weights and measures in August, 2003. It was renewed upto the year 2005. Petitioner engaged the services of one Chiluka Durgaiah,
a certified skilled worker, as required under the relevant provisions of law. When the petitioner submitted an application for further renewal of that licence, the second respondent rejected the same on the ground that no skilled worker is working in the firm.

Petitioner states that he submitted an application to the second respondent on 08.03.2003 with a prayer to issue a certificate of skilled worker to him, since he possessed ITI. He made a reference to the notification, dated 26.09.1989, issued by the Government, in this regard. The grievance of the petitioner is that no action has been taken thereon.

Heard the learned counsel for the petitioner and the learned Government Pleader for Legal Metrology.

The Standards of Weights and Measures Act, 1985, provides for grant of licence and certificates of different categories, such as dealers licence, repairers licence, certificate of skilled workers, etc. The

petitioner was issued a repairers licence in the year 2003. One of the conditions is that the licencee must engage a skilled worker, who possesses the certificate issued by the competent authority.

The procedure for issuance of certificate to skilled workers has been revised, through a notification, dated 20.06.2002. According to this, a candidate who has passed 10th class with ITI in the trades of Fitter or Instrumentation or Mechanist or Electrician, is eligible to be issued a certificate of skilled workers. Petitioner claims to have applied for issuance of such certificate. However, the record does not disclose that he had submitted an application in the prescribed form. This Court finds it difficult to issue any directions to the respondents, on the basis of an incomplete or inappropriate application. Petitioner can certainly make an application in the prescribed form, and the second respondent would be under obligation to process the same, if only the application is found to be in order.

Accordingly, the writ petition is disposed of leaving it open to the petitioner to submit an application for issuance of certificate of skilled worker in the prescribed form, enclosing the necessary certificates. As and when such application is made, the second respondent or any other competent authority shall dispose of the same within a period of six weeks from the date of submission. There shall be no order as to costs.

L.NARASIMHA REDDY, J

Date: 06.03.2007
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